

Internal Revenue Service

Department of the Treasury

Washington, DC 20234

Contact Person: [REDACTED]

Telephone Number: [REDACTED]

In Reference to: [REDACTED]

Date: JUL 11 1997

DO: [REDACTED]
EIN: [REDACTED]

Dear Applicant:

This is in reply to your application for recognition of exemption under section 501(c)(9) of the Internal Revenue Code.

On July 22, 1996, we denied your application for recognition of exemption under section 501(c)(9) of the Code. Our ruling concluded that not all of the benefits you provide are qualifying benefits within the meaning of section 501(c)(9) of the Code. Furthermore, such nonqualifying benefits amount to more than a de minimis amount of your activities. In addition, [REDACTED] does not qualify as a bona-fide labor organization. Therefore, your members do not have an employment related common bond for the purposes of section 501(c)(9) of the Code. The program is merely a vehicle to permit disproportionate benefits to highly-compensated employees through another trust, without regard to the level of benefits provided to rank-and-file employees.

You protested our proposed adverse determination and on January 29, 1997, we held a conference with your representatives.

After consideration of all the information you have submitted we have concluded that our proposed adverse determination of July 22, 1996, is correct and that you do not qualify for recognition of exemption under section 501(c)(9) of the Code.

Accordingly, you are a taxable trust since the date you were established and are required to file federal income tax returns for all years in question.

A copy of this letter is being sent to your key district office in Baltimore, Maryland.

Sincerely yours

[REDACTED]

cc:

[REDACTED]

[REDACTED]

7/8/97

7/14/97